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In the High Court of Punjab & Haryana at Chandigarh.

Date of decision : 10.11.2006.

Sudesh Sood .... Petitioner.

vs

Madan Lal and others .....Respondents.

Coram Hon'ble Ms. Justice Kiran Anand Lall.

Present: Mr.Arvind Kashyap,Advocate,for the petitioner.

Kiran Anand Lall, J.

The trial court having disallowed the impleadment of the petitioner as a defendant, in a suit filed by respondent no.1, Madan Lal, against respondents no.2 and 3, Santosh Sood and Arun Sood (legal representatives of Satpal Sood, since deceased), she has challenged the order passed in this regard, Annexure P4.

The suit pending before the trial court, is for specific performance of contract alleged to have been executed by the predecessor-in-interest of respondents no.2 and 3, in favour of respondent no.1. The petitioner had sought her impleadment in the suit on the ground that she was owner of the suit property. The trial court disallowed her prayer, mainly, on the ground that she had not produced any document indicating her ownership over the property.

During the course of hearing, I also called upon the learned counsel for the petitioner to show some document which may indicate her ownership over the suit property but the learned counsel could not point out any.

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The petitioner cannot, therefore, be said to have any interest in the suit property, and as such, her presence in the suit is not necessary for the decision of the suit. The petition shall, therefore, stand dismissed, in limine.

10.11.2006. (Kiran Anand Lall)
vs. Judge.